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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,474	08/21/2000	Brian Mark Shuster	409475-5	5826
7590	12/04/2003		EXAMINER	
Brian M. Berliner O'MELVENY & MYERS LLP 400 South Hope Street Los Angeles, CA 90071-2899			NGUYEN, DUSTIN	
			ART UNIT	PAPER NUMBER
			2154	
			DATE MAILED: 12/04/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	<i>SF</i>
	09/648,474	SHUSTER ET AL.	
	Examiner	Art Unit	
	Dustin Nguyen	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 April 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) 37-40 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-36 and 41-49 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-49 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 49 are presented for consideration.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-36 and 41-49 drawn to computer group exchange information, classified in class 709, subclass 204.
 - II. Claims 37-39, drawn to message filtering, classified in class 713, subclass 154.
 - III. Claim 40, drawn to network monitoring, classified in class 709, subclass 224.
3. Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as lacking message filtering and network monitoring, invention II has separate utility such as lacking computer group exchange information and network monitoring, and invention III has separate utility such as lacking computer group exchange information and message filtering. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
5. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Groups II and III, restriction for examination purposes as indicated is proper.

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6. During a telephone conversation with Applicants attorney, Brian Berliner, on 10/20/2003 a provisional election was made without traverse to prosecute the invention of group I, claims 1-36 and 41-49. Affirmation of this election must be made by applicant in replying to this Office action. Claims 37-40 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 5-17, 29-35, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al. [US Patent No 5,724,567], in view of Davis [US Patent No 5,423,038].

9. As per claim 1, Rose discloses the invention substantially as claimed including a method for exchanging information within a group of users on a wide area network, comprising the steps of:

receiving posts of information from said users on a wide area network [col 1, lines 32-34; and col 3, lines 6-17];

storing said posts in a memory [col 2, lines 23-25];

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providing said users an option to rate each of said posts [col 2, lines 42-47; and col 5, lines 25-42];

receiving rating data pertaining to selected ones of said posts from said users [Figure 3; and col 4, lines 45-62];

storing said rating data in said memory [col 6, lines 64-67]; and

providing said users an option to receive said rating data [28, 30, Figure 3; and Figure 7].

Rose does not specifically disclose

at least a portion of said rating data comprises a quantitative rating, and wherein said selected ones of said posts comprises posts that have been received and individually rated by said users.

Davis discloses

at least a portion of said rating data comprises a quantitative rating, and wherein said selected ones of said posts comprises posts that have been received and individually rated by said users [col 5, lines 50-col 6, lines 14].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose and Davis because Davis's teaching would provide detail statistic for information which allows users to make better selection for viewing posts.

10. As per claim 5, Rose discloses providing said users said option to rate each of said posts according to at least one predetermined criteria [col 5, lines 65-col 6, lines 3].

11. As per claims 6 and 7, Rose discloses providing said users said option to rate each of said posts according to whether said each of said posts comprises a flame and spam [col 1, lines 47-55].

12. As per claim 8, Rose discloses aggregating said rating data recorded in said memory for each post in said selected ones of said posts [Figure 6].

13. As per claim 9, Rose discloses developing an aggregate post score based on said rating data for each post in said selected ones of said posts according to at least one predetermined criteria [col 6, lines 4-17].

14. As per claim 10, Rose discloses providing users said option to receive said rating data recorded in said memory by receiving said aggregate post score for each post in said selected ones of said posts [Figure 3].

15. As per claim 11, Rose discloses providing users said option to view said rating data by presenting to users said selected ones of said posts ranked according to said aggregate post score [col 4, lines 41-44].

16. As per claim 12, Rose discloses associating said rating data recorded in said memory with at least one of said users according to at least one post provided by said at least one user to produce user-associated rating data [col 6, lines 4-17].

17. As per claim 13, Rose discloses a step of ranking said users according to a value of said user-associated rating data associated with each said at least one user [col 7, lines 26-37].

18. As per claim 14, Rose discloses developing an aggregate user score for each user, wherein each said aggregate user score contains information about said value of said user-associated rating data [col 7, lines 44-47].

19. As per claim 15, Rose does not specifically disclose providing users an option to receive said aggregate user score for each user. Davis discloses providing users an option to receive said aggregate user score for each user [Figure 3]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose and Davis because Davis' teaching would allow user to have a better determination for rating posted information.

20. As per claim 16, Rose discloses defining a topic for said posts of information prior to said first receiving step [col 9, lines 5-17].

21. As per claim 17, Rose discloses providing said users said option to individually rate each of said posts according to whether said each of said posts is relevant to said topic, and wherein said second receiving step further comprises receiving said rating data comprising information about the topical relevance of said selected ones of said posts [col 8, lines 57-65].

22. As per claim 29, Rose discloses receiving preference information from at least one of said users, wherein said preference information specifies a threshold criteria for filtering said posts according to said rating data, and further comprising storing said preference information in said memory [col 4, lines 67-col 5, lines 9].

23. As per claim 30, Rose discloses filtering said posts to identify desired posts by rejecting posts that do not meet said threshold criteria specified by said preference information, providing a Web page to said at least one of said users on a wide area network, and displaying at least one post of said desired posts on said Web page [col 5, lines 3-9; and Figure 4].

24. As per claim 31, Rose discloses providing a Web page having a tolerance bar for providing said at least one user an option to send said preference information for storing in said memory [32, Figure 3].

25. As per claim 32, Rose discloses receiving preference information from at least one of said users, wherein said preference information specifies a threshold criteria for filtering said posts according to said user-associated rating data applied to the contributor of each post of said posts, and further comprising storing said preference information in said memory [col 4, lines 63-col 5, lines 9].

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26. As per claim 33, Rose discloses defining a plurality of topics for said posts of information, and storing said topics in said memory [col 12, lines 22-24].

27. As per claim 34, Rose discloses receiving said rating data comprising information about the relevance of selected ones of said posts to selected ones of said plurality of topics, and grouping said posts in a plurality of topically organized self-evolving exchange groups according to said rating data, wherein each topically organized self-evolving exchange group comprises posts relevant to one of said plurality of topics [col 8, lines 57-col 9, lines 4].

28. As per claim 35, Rose discloses repeated in any logical order causing the number of said posts stored in said memory and the amount of said rating data stored in said memory to increase [col 6, lines 28-36].

29. As per claim 41, it is apparatus claimed of claim 1, it is rejected for similar reasons as stated above in claim 1.

30. As per claim 42, it is rejected for similar reasons as stated above in claims 33 and 34.

31. As per claim 43, it is method claimed of claims 41 and 42, it is rejected for similar reasons as stated above in claims 41 and 42.

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32. Claims 2-4, 18-28, 36, 44-49 rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al. [US Patent No 5,724,567], in view of Davis [US Patent No 5,423,038], and further in view of Maurille [US Patent No 8,484,196].

33. As per claim 2, Rose and Davis do not specifically disclose providing on a wide area network a Web page displaying at least one of said posts, and providing said users an option to contribute at least one of said posts using said Web page. Maurille discloses providing on a wide area network a Web page displaying at least one of said posts, and providing said users an option to contribute at least one of said posts using said Web page [Abstract; and Figure 8A]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would provide a graphical user interface for users to view and edit posts information.

34. As per claim 3, Maurille discloses providing a Web page on a wide area network, said Web page having a toggle object providing users an option of displaying at least a portion of said posts grouped according to a subject thread, and not grouped according to a subject thread [774, 776, Figure 7C].

35. As per claim 4, Rose discloses said Web page having a vote object providing users said option to rate said posts [Figure 4; and col 5, lines 19-34]. Rose and David do not specifically disclose providing a Web page on a wide area network. Maurille discloses providing a Web page on a wide area network [Abstract]. It would have been obvious to a person skill in the art

at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would provide the portability to the system.

36. As per claim 18, it is rejected for similar reasons as stated above in claim 2. Furthermore, Rose and Davis do not specifically disclose providing on said Web page a plurality of links to a plurality of related Web pages containing information relevant to said topic. Maurille discloses providing on said Web page a plurality of links to a plurality of related Web pages containing information relevant to said topic [col 4, lines 27-35]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would allow users to access information faster and easier.

37. As per claim 19, Rose discloses providing said users an option to rate each of said plurality of related Web pages linked to said Web page by said links [col 8, lines 24-36].

38. As per claim 20, Rose discloses receiving link rating data pertaining to selected ones of said links from said users, wherein at least a portion of said link rating data comprises a quantitative rating, and wherein said selected ones of said links comprises links to selected ones of said plurality of related Web pages that have been received and rated by said users [col 8, lines 36-44].

39. As per claim 21, Rose discloses ranking said links according to said link rating data on said Web page [col 8, lines 34-40].

40. As per claim 22, Maurille discloses presenting said links on a menu of said Web page [Figure 9].

41. As per claim 23, Rose and Davis do not disclose presenting said links grouped in a plurality of menus of said Web page, wherein each of said plurality of menus contains links pertaining to a category, wherein said category is selected from top links and nominated links. Maurille discloses presenting said links grouped in a plurality of menus of said Web page, wherein each of said plurality of menus contains links pertaining to a category, wherein said category is selected from top links and nominated links [Figure 7C]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would allow users to share and view multiple topics.

42. As per claim 24, Rose and Davis do not specifically disclose at least one link to at least one related Web page configured to display posts relevant to a second topic, wherein said second topic is related to said topic. Maurille discloses at least one link to at least one related Web page configured to display posts relevant to a second topic, wherein said second topic is related to said topic [Figure 9]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would view post of multiple topics and categories.

43. As per claim 25, Rose discloses providing said users an option to rate said at least one related Web page [col 2, lines 42-47; and col 5, lines 25-42]. Rose and Davis do not specifically disclose receiving link rating data pertaining to said at least one link from said users, wherein at least a portion of said link rating data comprises information about the relatedness of said second topic and said topic. Maurille discloses receiving link rating data pertaining to said at least one link from said users, wherein at least a portion of said link rating data comprises information about the relatedness of said second topic and said topic [142, Figure 3B]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would allow users to preview the rating of any topics that they plan to view.

44. As per claim 26, Maurille discloses providing on a wide area network a Web page displaying at least one post of said posts, providing said users an option to contribute at least one of said posts using said Web page, and providing on said Web page a plurality of links to a plurality of related Web pages containing information relevant to said topic, wherein at least one of said plurality of related Web pages contains at least one link back to said Web page [col 19, lines 16-33]..

45. As per claim 27, Maurille discloses counting use of said at least one link back to said Web page to link to said Web page during a predetermined interval of time, and ranking said plurality of links according to said count [col 8, lines 32-37].

46. As per claim 28, Maurille discloses performing an action selected from adding a link to said plurality of links, and deleting a link from said plurality of links, according to a ranking determined in said ranking step [col 8, lines 53-55].

47. As per claim 36, Rose and Davis do not specifically disclose an initial step of receiving an address for a Web page from a founding user, and wherein said step of providing a Web page further comprises providing a link on said Web page, said link comprising said address from said founding user. Maurille discloses an initial step of receiving an address for a Web page from a founding user, and wherein said step of providing a Web page further comprises providing a link on said Web page, said link comprising said address from said founding user [Figure 4C]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Rose, Davis and Maurille because Maurille's teaching would provide information about the original poster.

48. As per claim 44, it is rejected for similar reasons as stated above in claims 2 and 34.

49. As per claim 45, it is rejected for similar reasons as stated above in claims 18 and 34.

50. As per claim 46-49, they are rejected for similar reasons as stated above in claims 19-22.

51. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for

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response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

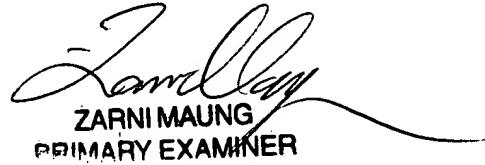
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


ZARNI MAUNG
PRIMARY EXAMINER